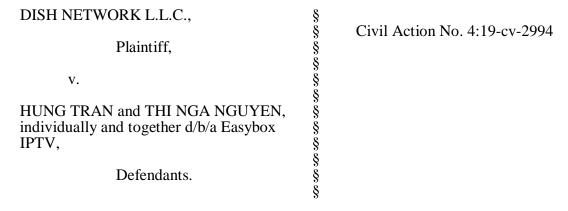
UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION



Declaration of Stephen M. Ferguson

- I, Stephen M. Ferguson, of Houston, Texas declare as follows:
- 1. I am admitted to practice in Texas, and an attorney with the firm of Hagan Noll & Boyle LLC, counsel for Plaintiff DISH Network L.L.C. ("DISH"). I make this declaration based on personal knowledge and, if called on to testify, would testify competently as stated herein.
- 2. On December 7, 2019, both Hung Tran ("Tran") and Thi Nga Nguyen ("Nguyen") were served with a summons, DISH's First Amended Complaint (Dkt. 12), Order for Conference (Dkt. 4.), and Order Resetting Conference (Dkt. 11) by first class registered mail with acknowledgment of receipt. (Dkts. 18, 19.)
- 3. Attached as **Exhibit 1** is a true and correct copy of relevant provisions of Vietnam's Code of Civil Procedure, No. 92/2015/QH13, which I obtained from the World Intellectual Property Organization website at https://www.wipo.int/edocs/lexdocs/laws/en/vn/vn083en.pdf.
- 4. According to the Court's docket and my file, neither Tran nor Nguyen have filed an answer or other responsive pleading, nor has he requested an extension of time to do so.

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5. Attached as **Exhibit 2** is a true and correct copy of business records produced by

PayPal, Inc. pursuant to a subpoena issued by DISH. These records identify Tran's PayPal account

information including Tran's redacted date of birth.

6. Attached as **Exhibit 3** is a true and correct copy of additional business records

produced by PayPal, Inc. pursuant to a subpoena issued by DISH. These records identify Nguyen's

PayPal account information including Nguyen's redacted date of birth.

7. I reviewed the User Agreement for PayPal Services found at

https://www.paypal.com/ga/webapps/mpp/ua/useragreement-full. Section 1.2 of the User

Agreement for PayPal Services states, "To be eligible to use the PayPal Services, you must be at

least 18 years old or higher based on the age of majority in your jurisdiction, and a resident of one

of the countries listed on the PayPal Worldwide page."

I declare under penalty of perjury that the foregoing is true and correct. Executed on

December 31, 2019.

/s/ Stephen M. Ferguson
Stephen M. Ferguson

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